

162

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT (Under 37 CFR 1.97(b) or 1.97(c))				Docket No. 14589CIP	
In Re Application Of: IFERGAN, Thierry					
Application No. 10/759,105	Filing Date January 20, 2004	Examiner Not Yet Assigned	Customer No. 27871	Group Art Unit 2873	Confirmation No. N/A
Title: EYEGLOSS DEVICE					
Address to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450					
37 CFR 1.97(b)					
1. <input checked="" type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.					
37 CFR 1.97(c)					
2. <input type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:					
<input type="checkbox"/> the statement specified in 37 CFR 1.97(e);					
OR					
<input type="checkbox"/> the fee set forth in 37 CFR 1.17(p).					

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.  
14589CIP

In Re Application: **IFERGAN, Thierry**

FEB 18 2005

Application No. 10/759,105	Filing Date January 20, 2004	Examiner Not Yet Assigned	Customer No. 27871	Group Art Unit 2873	Confirmation No. N/A
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Title: **EYEGLOSS DEVICE**

**Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☐ The Director is hereby authorized to charge and credit Deposit Account No. \_\_\_\_\_ as described below.
- ☐ Charge the amount of \_\_\_\_\_
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- ☐ Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

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Dated: 2/16/2005

Signature

Ralph A. Dowell  
Dowell & Dowell, P.C.  
Suite 406  
2111 Eisenhower Avenue  
Alexandria, VA  
22314  
USA

cc:



1

ATTORNEY DOCKET NO.: **14589CIP**  
CUSTOMER NUMBER: **000293**

**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

In re patent application of:

**IFERGAN, Thierry**

Serial No.:	<b>10/759,105</b>	Group Art Unit:	<b>2873</b>
Filed:	<b>January 20, 2004</b>	Examiner:	<b>Not Yet Assigned</b>
Title:	<b>EYEGLOSS DEVICE</b>		

Mail Stop DD  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**INFORMATION DISCLOSURE STATEMENT**

Pursuant to the duty to disclose under 37 CFR §1.56, Applicant submits herewith a Form PTO/SB/08A listing references of which the Applicant is aware and which are brought to the attention of the Examiner. In accordance with 37 CFR §1.98(a)(2), a copy of each document listed in the enclosed Form PTO/SB/08A is submitted herewith excluding U.S. patent references.

U.S. patent references are not enclosed pursuant to the Office's waiver (published in the Official Gazette – August 5, 2003) of such requirement for all U.S. national patent applications and for all international applications that have entered the national stage under 35 USC 371 filed after June 30, 2003.

When available, English translations of foreign references are included.

Pursuant to 35 USC §120, this application relies on the earlier filing date(s) of the following prior application(s):

<u>Serial Number</u>	<u>Filing Date</u>
<b>60/366,247</b>	<b>March 22, 2002</b>
<b>10/394,651</b>	<b>March 24, 2003</b>

The filing of this IDS shall not be construed as a representation that a search has been made, an admission that the information cited is, or is considered to be, material for patentability, or that no other material information exists. This filing shall not be construed as an admission against interest in any matter.

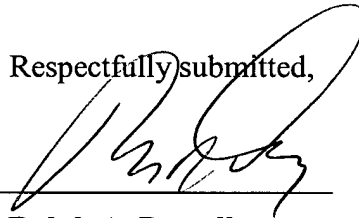
This IDS is submitted pursuant to 37 CFR §1.97(b) and, accordingly, no fee is believed to be due for consideration of the documents submitted herewith.

Applicant respectfully requests consideration of the items listed and requests the Examiner to return a copy of the attached Form PTO/SB/08A after being marked as being considered by the Examiner.

Date:

2/18/2005

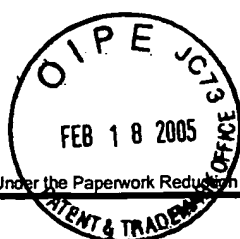
Respectfully submitted,



**Ralph A. Dowell**  
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Agent for Applicant

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PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 9

**Complete if Known**

Application Number	10/759,105
Filing Date	January 20/2004
First named Inventor	IFERGAN, Thierry
Art Unit	2873
Examiner Name	Not Yet Assigned
Attorney Docket Number	14589CIP

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US 1,679,233	07-31-1928	STRAUSS	
		US 2,737,847	03-13-1956	TESAURO	
		US 2,770,168	11-13-1956	TESAURO	
		US 3,498,701	03-03-1970	MILLER	
		US 3,531,188	09-29-1970	LEBLANC ET AL.	
		US 3,531,190	09-29-1970	LEBLANC	
		US 3,536,385	10-27-1970	JOHNSTON	
		US 3,565,517	02-23-1971	GITLIN ET AL.	
		US 3,582,192	06-01-1971	GITLIN	
		US 3,838,914	10-01-1974	FERNANDEZ	
		US 3,917,940	11-04-1975	DUDDY	
		US 4,070,103	01-24-1978	MEEKER	
		US 4,070,105	01-24-1978	MARZOUK	
		US 4,196,981	04-08-1980	WALDROP	
		US 4,217,037	08-12-1980	LEMELSON	
		US 4,547,909	10-22-1985	BELL	

**FOREIGN PATENT DOCUMENTS**

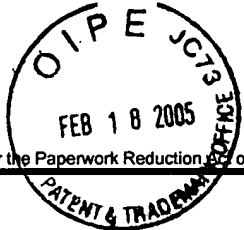
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind-Code <sup>5</sup> (if known)				
		CA	2,180,714		08-05-1997	CHAO		
		CA	2,216,280		08-01-1996	RIACH		
		CA	2,223,295		07-13-1999	CHAO		
		CA	2,235,088		10-18-1998	MADISON		
		CA	2,235,466		02-26-2002	CHAO		
		CA	2,235,798		07-18-2000	CHAO		

Examiner  
SignatureDate  
Considered

**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicants' unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 2 of 9

### Complete if Known

Application Number	10/759,105
Filing Date	January 20/2004
First named Inventor	IFERGAN, Thierry
Art Unit	2873
Examiner Name	Not Yet Assigned
Attorney Docket Number	14589CIP

### U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US 4,750,828	06-14-1988	SARTOR	
		US 4,896,787	01-30-1990	DELAMOUR, ET AL.	
		US 4,932,771	06-12-1990	NOWOTNY	
		US 4,988,181	01-29-1991	RIACH, JR.	
		US 5,009,495	04-23-1991	WILLIAMS	
		US 5,115,540	05-26-1992	DELORME	
		US 5,181,051	01-19-1993	TOWNSEND ET AL.	
		US 5,243,366	09-07-1993	BLEVINS	
		US 5,321,442	06-14-1994	ALBANESE	
		US 5,389,981	02-14-1995	RIACH, JR.	
		US 5,410,763	05-02-1995	BOLLÉ	
		US 5,416,537	05-16-1995	SADLER	
		US 5,431,506	07-11-1995	MASUNAGA	
		US 5,568,207	10-22-1996	CHAO	
		US 5,583,588	12-10-1996	CHAO	
		US 5,592,243	01-07-1997	CHAO	

### FOREIGN PATENT DOCUMENTS

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		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind-Code <sup>5</sup> (if known)				
		CA	2,235,802		10-28-1998	CHAO		
		CA	2,235,818		10-28-1998	CHAO		
		CA	2,235,823		10-28-1998	CHAO		
		CA	2,235,826		10-28-1998	CHAO		
		CA	2,235,897		12-21-1999	CHAO		
		CA	2,235,917		08-10-1999	CHAO		

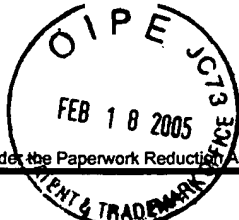
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Sheet 3 of 9

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First named Inventor	IFERGAN, Thierry
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Attorney Docket Number	14589CIP

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		Number-Kind Code <sup>2</sup> (if known)			
		US 5,627,608	05-06-1997	CHAO	
		US 5,631,719	05-20-1997	CHAO	
		US 5,640,217	06-17-1997	HAUTCOER ET AL	
		US 5,642,177	06-24-1997	NISHIOKA	
		US 5,651,146	07-29-1997	CHAO	
		US 5,682,222	10-28-1997	CHAO	
		US 5,689,835	11-25-1997	CHAO	
		US 5,696,571	12-09-1997	SPENCER ET AL.	
		US 5,737,054	04-07-1998	CHAO	
		US 5,786,880	07-28-1998	CHAO	
		US 5,805,259	09-08-1998	CHAO	
		US 5,815,899	10-06-1998	CHAO	
		US 5,877,838	03-02-1999	CHAO	
		US 5,882,101	03-16-1999	CHAO	

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		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind-Code <sup>5</sup> (if known)				
		CA	2,236,025		04-28-1999	KU		
		CA	2,258,142		03-20-2001	WONG		
		CA	2,269,373		05-02-2000	ZELMAN		
		CA	2,274,221		12-11-1999	WONG		
		CA	2,286,765		10-29-1998	DUPRAZ		
		CA	2,292,390		04-03-2000	CHAO		

Examiner Signature		Date Considered	
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4

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		Number-Kind Code <sup>2</sup> (if known)			
		US 5,883,688	03-16-1999	CHAO	
		US 5,883,689	03-16-1999	CHAO	
		US 5,889,575	03-30-1999	WANG	
		US 5,894,335	04-13-1999	HOFFMAN	
		US 5,929,964	07-27-1999	CHAO	
		US 5,936,700	08-10-1999	MASUNAGA	
		US 5,940,162	08-17-1999	WONG	
		US 5,975,691	11-02-1999	KU	
		US 6,012,811	01-11-2000	CHAO ET AL.	
		US 6,092,896	07-25-2000	CHAO ET AL.	
		US 6,109,747	08-29-2000	CHAO	
		US 6,116,730	09-12-2000	KWOK	

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		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind-Code <sup>5</sup> (if known)				
		CA	2,302,540		06-18-2000	THOMPSON, ET AL.		
		CA	2,313,976		10-28-1998	CHAO		
		CA	2,337,146		06-08-2000	MAUCH		
		CA	2,367,159		09-14-2002	ONAMI, ET AL.		
		CA	2,372,382		10-18-1998	MADISON		
		CH	572 222		01-30-1976	SIEGENTHALER		
		CN	107,096		01-01-1989			√
		CN	1,117,593	A	02-28-1996	TAKAHIRO		

Examiner  
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		US 6,116,732	09-12-2000	XIAO	
		US 6,132,040	10-17-2000	XIAO	
		US 6,139,141	10-31-2000	ZIDER	
		US 6,139,142	10-31-2000	ZELMAN	
		US 6,142,942 B1	07-02-2002	MCKENNA, ET AL.	
		US 6,149,269	11-21-2000	MADISON	
		US 6,164,774	12-26-2000	CATE	
		US 6,168,341	01-02-2001	CHENE, ET AL.	
		US 6,170,948	01-09-2001	CHAO	
		US 6,170,949 B1	01-09-2001	MAUCH	
		US 6,231,179 B1	05-15-2001	LEE	
		US 6,264,323 B1	07-24-2001	CHAO	
		US 6,270,274 B1	08-07-2001	CHAO	
		US 6,305,799 B1	10-23-2001	CHAO	
		US 6,321,179	04-23-2002	LEE, ET AL.	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind-Code <sup>5</sup> (if known)				
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		DE	3 905 041	A1	08-23-1990	STEMME		
		DE	3 919 489	A1	12-20-1990	STEMME		
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Application Number	10/759,105
Filing Date	January 20/2004
First named Inventor	IFERGAN, Thierry
Art Unit	2873
Examiner Name	Not Yet Assigned
Attorney Docket Number	14589CIP

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First named Inventor	IFERGAN, Thierry
Art Unit	2873
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Attorney Docket Number	14589CIP

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